


**METROPOLITAN
POLICE**
TOTAL POLICING

**Consultation Document for a Premises Closure Notice
Anti-social Behaviour, Crime and Policing Act 2014 - Part 4, Chapter 3**

Details of premises			
Address:	Superway Express, 344 Kennington Lane, London, SE11		
Status of	Local Authority Tenancy <input type="checkbox"/>	Registered Social Landlord <input type="checkbox"/>	Owner occupied <input type="checkbox"/>
premises	Local Authority Leaseholder <input type="checkbox"/>	Private Landlord <input type="checkbox"/>	Business <input checked="" type="checkbox"/>
	Not known <input type="checkbox"/>		

Landlord / Management / Owner / Person with interest in property			
1. Name:	Tahir AWAN	Telephone No.:	
Address:	344 Kennington Lane, London SE11		
2. Name:		Telephone No.:	
Address:			
Have the persons above been informed of the intention to issue a Closure Notice at their address			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Details of known occupiers - continue on separate sheet if necessary			
1. Name:		Date of Birth:	
Gender:		Ethnic origin:	
Are there any vulnerability or health issues or any dependent children? Is the person known to social services? If 'yes' please give details			
2. Name:		Date of Birth:	
Gender:		Ethnic origin:	
Are there any vulnerability or health issues or any dependent children? Is the person known to social services? If 'yes' please give details			
3. Name:		Date of Birth:	
Gender:		Ethnic origin:	
Are there any vulnerability or health issues or any dependent children? Is the person known to social services? If 'yes' please give details			
Have the persons above been informed of the intention to issue a Closure Notice at their address			Yes <input type="checkbox"/> No <input type="checkbox"/>

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Details of persons consulted			
1.	Name:	Various Local residents	Telephone No.:
	Organisation/role:		Date consulted: November 2016
	Address:		
2.	Name:	Councillor Joanne Simpson	Telephone No.:
	Organisation/role:		Date consulted: 25 November 2016
	Address:		
3.	Name:		Telephone No.:
	Organisation/role:		Date consulted:
	Address:		
Provide details of any other action taken by partner agencies to deal with the issues at this address			
<p>Premises Licence Review, which resulted in revocation of licence (presently subject of appeal). Penalty Notices for disorder issued to several staff members.</p>			
<p>Is there reasonable grounds to be satisfied that that the use of premises has resulted, or (if the notice is not issued) is likely soon to result, in nuisance to members of the public; OR</p> <p>That there has been, or (if the notice is not issued) is likely soon to be, disorder near those premises associated with the use of those premises; AND</p> <p>That the notice is necessary to prevent the nuisance or disorder from continuing, recurring or occurring.</p>			
YES <input checked="" type="checkbox"/>		NO <input type="checkbox"/>	
<p>The premises Superway Express are an off-licence and convenience store. Its opening hours are 24 hours per day, and it has permitted hours of 24 hours per day.</p> <p>The premises are located on Kennington Lane, SE11, between Glynn Street and Tyers Street. The premises are directly adjacent to an area known as Vauxhall Pleasure Gardens. The area is reported by the local Policing team as having a particular problem with anti-social behaviour caused by, or related to, street drinking, especially during the early hours of the morning. This takes the form of large amounts of litter in the area, noise from drunken patrons, abuse and harassment of local residents and passers-by. There is a horse riding school in the local area, which caters particularly to young people, and staff and visitors there regularly complain about the behaviour of drunk people in the area. The dedicated ward officer describes the area during the night and early hours of the morning as an area where patrons at local night clubs, known criminals and street drinkers can loiter, obtaining further alcohol and drinking it in an anti-social manner.</p> <p>On 25th September 2016 at 0133h Trading Standards officers conducted a covert 'test purchase' designed to detect breaches of licence conditions, in this case condition Annex 3.5 (2012) "All beers, ales, lagers and ciders and anything similar that are sold/supplied in a can to be sold in packs of four (4) minimum at all times." The officer selected two cans of Red Stripe Lager, and was sold them without question for three pounds. Conditions relating to single-can sales are added to licences to combat problems of street drinking in an area which is or may be prone to those problems. Single cans are attractive to street drinkers as they are cheap, and can be consumed quickly without having to be resealed.</p> <p>On 15th October 2016 at 0540h, and again at 0725h, Police officers observed staff at the premises selling alcohol to a person who was drunk. This is contrary to Sec 141 Licensing Act 2003. On both occasions a PND was issued to the person concerned. The Designated Premises Supervisor, Tahir AWAN, was present when the PNDs were issued, and displayed a dismissive, argumentative attitude. One of the persons who was sold to was described by the officers involved as 'extremely intoxicated, claiming to have been 'on it all night', and drinking from a large bottle of Heineken lager. He also had an unopened can of Carlsberg in his back pocket.'</p>			

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On 22nd October 2016 at 0545h, Police Officers observed Tahir AWAN selling alcohol to a person who was drunk. He was issued a PND, and was again argumentative. On 22nd October 2016 at 0650h officers observed four persons who were drunk purchasing Lambrini from the premises. They opened and consumed it outside the shop, and they were loud and disruptive. As Officers were unable to clearly identify the staff member involved in the sale, they did not on that occasion take any further action.

On 29th October 2016 at 09:16h an Officer observed a drunk male in the process of making a purchase from Superway. The officer was seen by the staff member as they were about to hand over two bottles of wine. On seeing Police, the staff member put the bottles back on the counter, and pointed to the Police officer when the customer asked why he wasn't being given his wine.

On 4th November, as a result of the above incident, Police Licensing Officers applied for a review of the Premises Licence, under sec 51 Licensing Act 2003. As is required by the Act, the premises were notified of the application.

During the 28-day period in which interested parties may make representations regarding the application, supporting representations, describing the effect street drinking and drunkenness have on the area, were received from 14 local residents, and the three Ward Councillors (submitted as one representation).

In the period between the application for review and the date of the review hearing, when one might think that the premises would take extra care to address the issues which had brought about the review, the following incidents occurred.

On 20th November 2016 at 6.18am, PC Duggan observed a noisy and intimidating group of drunk people outside the premises. He confiscated alcohol from a number of them in line with the local Controlled Drinking Zone.

On 1st January 2017 at approximately 3am PC Paul Robinson observed the Designated Premises supervisor Tahir AWAN (a person he recognises and knows from previous encounters) sell a large bottle of whisky to a person who in his opinion was heavily intoxicated (slurring speech, noisy, and difficult to understand).

On 11th January 2017 at approximately 5.50pm PC Paul Robinson observed the Designated Premises supervisor Tahir AWAN (a person he recognises and knows from previous encounters) sell a bottle of lambrini to a local street-drinker who was, in the opinion of PC Robinson, drunk (stumbling when walking).

On 18th January 2017 the Licensing Sub-Committee of Lambeth Council heard the application for review, and resolved to revoke the Premises Licence. As the premises indicated they would submit an appeal (which they subsequently did within the 21-day period allowed), the revocation did not have effect.

After the date of the hearing, the following incidents took place, (again, when one might think the premises would be taking extra care to avoid repeating the failings which had brought about revocation.)

On 29th January 2017 at about 07.40 PC Paul Robinson and PC Steven Duggan observed a member of staff, Shakir ULLAH, sell alcohol to two persons who were drunk. When they went to the premises to investigate the matter, they were unable to gain access. A person who was believed to be Shakir ULLAH was seen to leave the rear of the premises. At around 09.40am the officers returned to the premises at which time Shakir ULLAH was present, gave furtive and evasive answers to officers, and, in the opinion of officers, was appearing to wilfully refusing to answer questions honestly and clearly.

It is apparent that:-

- a) There is anti-social behaviour in the area immediately surrounding the premises.
- b) That anti-social behaviour stems mainly from street drinking, and excessive consumption of alcohol.
- c) The actions of the premises are contributing to that anti-social behaviour.
- d) Other means of correcting the behaviour of the premises have failed.
- e) The premises do not appear to be taking their own steps to improve their operation.

As such, a closure under sec 76 is necessary to prevent the nuisance continuing.

After consultation, is there agreement for a Closure Notice to be served?

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YES

NO

If 'no' - give brief summary of objections and alternative options

Lead Police Officer

Name/Rank:

Signature:

Date:

Details of officer completing - if not lead officer

Name/Rank:

Signature:

Date:

Retention period: 7 Years
MP 207/14